

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

JONARD BRANDON MCDANIEL,

CIVIL NO. 11-571 (PJS/JSM)

Petitioner,

v.

ORDER

JOAN FABIAN,

Respondent.

This matter is before the Court on the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated November 29, 2012. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge and upon all files, records and proceedings herein, the Court now makes and enters the following Order.

IT IS HEREBY ORDERED that:

Petitioner's McDaniel's Petition under 28 U.S.C. §2254 for Writ of Habeas Corpus by a Person in State Custody ("Petition") [Docket No. 1] is dismissed with prejudice.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: 12/14, 2012

s/Patrick J. Schiltz  
Patrick J. Schiltz  
United States District Court